

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3808 of 1987

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

GUJ PUBLIC WORKS DEPTT CLERICAL EMPLOYEES' AAON

Versus

STATE OF GUJARAT

Appearance:

SHRI RM CHHAYA for MR ND NANAVATI for Petitioners
NOTICE SERVED for Respondent No. 1

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 01/05/98

ORAL JUDGEMENT

The petitioners before this court are the office bearers of the Gujarat Public Works Department Clerical Employees' Association. The petitioners challenged the Government Resolution dated 18th June, 1987, issued in respect of administration of Class-III employees of the Road & Building Department of the Government. It appears that prior to the said resolution, whole of the State of Gujarat was divided into two administrative zones being

Gujarat Zone and Kutchh-Saurashtra Zone. In the preamble of the said resolution, it is observed that the Gujarat Zone covered many districts spread over a long distance which caused difficulties in administration particularly in the matter of transfers and promotion. It was, therefore, decided to divide the whole of the State into three separate administrative Zones being Ahmedabad Zone, Rajkot Zone and Vadodara Zone. All the districts were rearranged and placed under one of the aforesaid three Zones. Three separate Selection Committees have also been appointed under the said resolution for selection to various posts in the concerned zone. The employees were also offered option to opt for any of the three Zones.

2. It is the contention of the petitioners that the interest of administration alluded to in the said resolution is merely an eyewash and that the said rearrangement has been made under the impugned resolution for extraneous reasons. The petitioners have, however, failed to establish that the impugned resolution has been issued on extraneous consideration or for some oblique purpose or with an ulterior motive. In my view, the said resolution contains policy decision of the government keeping in view the interest of administration and the same does not call for any interference by this court. Besides, the said resolution has been given effect to in the year 1987 and the rearrangement cannot be interfered with now i.e. after more than 10 years. The petitioners, therefore, cannot be granted any of the reliefs prayed for by them.

3. The petition is, therefore, dismissed. Rule is discharged. There shall be no order as to costs.

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